

On motion, the vote refusing to pass to third reading was reconsidered.

Senator Glasscock offered the following amendment:

Strike out the word "shall" before the word "appoint" and insert the word "may."

Adopted.

Senator Perry offered the following amendment:

Amend by striking out the words "not less than one."

Adopted, and

The bill passed to third reading.

On motion of Senator Houston of Wheeler.

The Senate adjourned till 10 o'clock Monday morning.

TWENTY-THIRD DAY.

SENATE CHAMBER.
AUSTIN, TEXAS, February 9, 1885. }

The Senate met pursuant to adjournment.

Senator W. R. Shannon, President pro tem., in the chair.

Roll called.

No quorum present.

On motion of Senator Pope,

The Senate adjourned till 11 o'clock.

The Senate was called to order, as per adjournment, by President pro tem., Senator Shannon.

Roll called.

No quorum present.

Senator Pope moved a second call of the Senate.

Adopted.

Roll called.

No quorum present.

The Sergeant-at Arms was dispatched to bring the absent Senators into the Senate.

Senator Pope moved to adjourn till 10 o'clock to-morrow morning.

Lost by the following vote:

YEAS—9.

Camp,	Houston of Bexar,	Randolph,
Davis,	Houston of Wheeler,	Stinson,
Hall,	Pope,	Terrell.

NAYS—12.

Bell,	Garrison,	Pfeuffer,
Calhoun,	Harrison,	Shannon,
Farrar,	Johnson,	Traylor,
Fowler,	Peacock,	Woods.

ABSENT, NOT VOTING.

Douglass,	Getzendaner,	Kleberg.
Evans,	Jerdone,	

A quorum was announced present.

Prayer by the Chaplain, Dr. Smoot.

Senator Houston of Wheeler moved to dispense with the reading of the journal of the last day's proceedings.

Withdrawn.

The Secretary proceeded to read the journal.

Senator Peacock moved to dispense with the further reading of the journal.

Adopted by the following vote:

YEAS—13.

Bell,	Harrison,	Pfeuffer,
Calhoun,	Houston of Bexar,	Shannon,
Farrar,	Johnson,	Traylor,
Fowler,	Peacock,	Woods.
Garrison,		

NAYS—8.

Camp,	Houston of Wheeler,	Stinson,
Davis,	Pope,	Terrell.
Hall,	Randolph,	

ABSENT, NOT VOTING.

Douglass,	Getzendaner,	Kleberg.
Evans,	Jerdone,	

On motion of Senator Garrison,
The Sergeant-at-Arms, Mr. Brewer, was excused till Wednesday, on account of sickness in his family.
On motion of Senator Farrar,
Senator Getzendaner was excused till Tuesday.
The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
AUSTIN, February 9, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to report to your honorable body the passage of

Senate bill No. 112, with amendments, "An act to provide for the issuance and sale of the bonds of the State to supply deficiencies in the revenue, and to provide the mode and manner of the sale of said bonds."

Also Senate concurrent resolution requiring the Enrolling Committees to omit the "emergency" and "public necessity" clauses in certain cases.

A. D. SADLER, Chief Clerk House.

Senator Bell made the following committee report:

COMMITTEE ROOM,
AUSTIN, February 6, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 137, being "An act to repeal sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 27, 28, 30, 31, 83, 198, 199 and 200, and to amend sections 2, 4, 5, 6, 29, 33, 43, 45, 70, 74, 78, 103, 120, 197, 201, 202 and 203 of an act entitled 'an act to incorporate the city of San Antonio and grant a new charter to said city,' approved August 13, 1870, and to repeal 'an act to incorporate the city of San Antonio,' approved July 17, 1856, and 'an act to amend the act to incorporate the city of San Antonio,' approved February 13, 1860, also an act to amend an act entitled 'an act to incorporate the city of San Antonio and grant a new charter to said city,' approved April 18, 1879," and find the same correctly engrossed.

BELL, Chairman.

The President pro tem. gave notice of signing the following bills:

Senate bill No. 17, a bill to be entitled "An act to give orders of sale foreclosing liens upon land the force and effect of writs of possession."

House bill No. 21, "An act to amend article 677 of the Penal Code."

House bill No. 51, "An act to restore the jurisdiction of the county court of Grimes county."

Senator Pope moved a call of the Senate.

Roll call completed and no quorum present.

The Sergeant-at-Arms was dispatched to bring the absent Senators into the Senate Chamber, and

The Doorkeeper was instructed to keep the door closed.

Senator Randolph moved to adjourn till nine o'clock to-morrow morning.

Lost by the following vote:

YEAS—5.
Davis, Pfeuffer, Stinson,
Farrar, Randolph,

NAYS—11.
Bell, Harrison, Shannon,
Calhoun, Houston of Wheeler, Terrell,
Camp, Johnson, Traylor,
Garrison, Peacock, Woods,
Hall, Pope,

ABSENT, NOT VOTING:
Douglass, Fowler, Jerdone,
Evans, Houston of Bexar, Kleberg.

Senator Pope moved to suspend the call of the Senate.
Adopted.

REPORTS OF STANDING COMMITTEES.

Senator Garrison sent up the following report:

COMMITTEE ROOM,
AUSTIN, February 7, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Insurance, History and Statistics, to whom was referred Senate bill No. 175, entitled "An act regulating insurance, and the rights and liabilities of the insurer and insured, and to amend article 2953 of the Revised Civil Statutes," have carefully examined the same, and a majority of the committee have instructed me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

GARRISON, Chairman.

BILLS AND RESOLUTIONS.

By Senator Traylor:

"An act to provide for the correction and revision of the abstract of located, titled and patented lands in Texas."

"An act to provide for the sale of all real estate bid off to the State by collectors of taxes at tax sales, the owners of which have not redeemed the same."

Both bills referred to Finance Committee.

By Senator Peacock:

"An act to provide for the classification, sale and lease of the lands heretofore or hereafter set apart for the benefit of the common school, University, Lunatic, Deaf and Dumb, Blind, and Orphan Asylum funds."

Referred to Committee on Public Lands.

Senator Peacock moved to have 100 copies of the bill printed.

Adopted.

By request of Senator Douglass,

Senator Peacock introduced a bill to be entitled "An act for the relief of Z. C. Collier, Thomas Collier, and William Ramon."

Referred to Committee on Private Land Claims.

By leave, Senator Harrison introduced a memorial from citizens of Waco.

Referred to Committee of the Whole.

Senator Pope, by leave, introduced a memorial on citizens of Harrison county, setting forth grievances against the Texas and Pacific Railway company.

Referred to Committee on Internal Improvements.

Senator Fowler submitted the following privileged port:

COMMITTEE ROOM,
AUSTIN, February 9, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined

and compared Senate bill No. 17, being "An act to give orders of sale foreclosing liens upon land the force and effect of writs of possession," and find the same correctly enrolled, and have this day, at 11:40 o'clock a. m., presented the same to the Governor for his approval.

FOWLER, Chairman.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, February 9, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to report to your honorable body the passage by the House of

Senate bill No. 150, "An act to amend sections 9 and 10 of an act to provide for the classification, sale and lease of the lands heretofore or hereafter surveyed and set apart for the benefit of the common school, University, the Lunatic, Blind, Deaf and Dumb, and Orphan Asylums funds." Passed under suspension of the rules. Yeas, 76; nays, 5.

A. D. SADLER, Chief Clerk.

Senate bill No. 131, "An act to give effect to section 2, article 14, of the Constitution," was laid before the Senate as first special order and read second time, with committee substitute.

On motion of Senator Hall,

The substitute was adopted.

Senator Hall offered to amend by adding after the word "and," in line 14, "by the affidavits of two credible citizens of said county."

Adopted, and

The bill was ordered engrossed.

Senate bill No. 112, a bill to be entitled "An act to provide for the issuance and sale of the bonds of the State to supply deficiencies in the revenue, and to provide the mode and manner of the sale of said bonds," was laid before the Senate, with House amendments.

The Senate concurred in the first, second, third, fourth, fifth, sixth and seventh House amendments.

Senate bill No. 165, a bill to be entitled "An act to amend articles 4185 and 4190 of the Revised Civil Statutes of the State of Texas," was laid before the Senate as a special order, and

Read second time and ordered engrossed.

House bill No. 35, "An act to amend article 4531 of the Revised Statutes," was taken up in its regular order and read third time and passed.

Substitute House bills Nos. 13, 61, 63, 104, 161, "An act to amend section 71 of 'an act to establish and maintain a system of public free schools,' etc., was taken up, and.

On motion of Senator Davis, was made special order for to-morrow at ten o'clock.

House bill No. 27, "An act to authorize the transfer of occupation licenses," was taken up on a motion adopted on January 28 reconsidering the vote of the Senate refusing to engross the same.

Senator Davis offered the following amendment:

Amend the bill so as allow the legal representatives of a deceased person to transfer a license, but not to allow a transfer in any case or under any other circumstances.

Senator Harrison offered to amend the amendment by striking out all after the word "license."

Adopted.

Senator Davis moved to reconsidered the vote by which the amendment by Senator Harrison was adopted.

Lost by the following vote:

YEAS—9.

Davis,
Fowler,
Garrison,Houston of Wheeler, Stinson,
Pfeuffer, Terrell,
Shannon, Traylor.

NAYS—12.

Bell,
Calhoun,
Camp,
Farrar,Hall,
Harrison,
Houston of Bexar, Peacock,
Johnson, Pope,
Woods.

ABSENT, NOT VOTING.

Douglass.
Evans,

Jerdone, Kleberg.

Senator Davis withdrew his amendment.
Senator Davis moved a call of the Senate.
Call sustained.

On motion of Senator Davis,

The Senate adjourned till ten o'clock to-morrow morning, by the following vote:

YEAS—11.

Davis,
Farrar,
Fowler,
Garrison,Houston of Bexar, Stinson,
Houston of Wheeler, Terrell,
Peacock, Traylor.
Pfeuffer,

NAYS—10.

Bell,
Calhoun,
Camp,
Hall,Harrison,
Johnson, Randolph,
Pope, Shannon,
Woods.

ABSENT, NOT VOTING.

Douglass,
Evans,

Jerdone, Kleberg.

TWENTY-FOURTH DAY.

SENATE CHAMBER, }
AUSTIN, February 10, 1885. }

The Senate met pursuant to adjournment.
Senator Shannon, President pro tem., in the chair.
Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Davis,

The reading of the journal of yesterday was dispensed with.

On motion of Senator Pfeuffer,

Senator Knittel was excused indefinitely, on account of injuries recently received.

On motion of Senator Pope,

Senator Douglass was excused indefinitely, on account of sickness.

On motion of Senator Farrar,

Senator Getzendaner was excused for the day.

PETITIONS AND MEMORIALS.

By Senator Houston of Bexar:

Communication of A. J. Peeler, with reference to the "Mercer Colony case," and requesting pay for legal services rendered in connection with said case.

Referred to Committee on Finance.

By Senator Glasscock:

Memorial of J. A. Rhomberg, president Austin and Northwestern railroad company, for relief.

Referred to Committee on Claims and Accounts:

REPORTS OF STANDING COMMITTEES.

By Senator Traylor:

COMMITTEE ROOM,
AUSTIN, February 9, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Finance, to whom was referred Senate bill No. 193, entitled "An act to provide for the correction and revision of the abstract of located, titled and patented lands in Texas," have carefully examined the same, and instruct me to report it back with the recommendation that do pass, with the following amendment, viz.: Amend section 3 by striking out the words "five dollars" and insert the words "three dollars."

All of which is respectfully submitted.

TRAYLOR, Chairman.

COMMITTEE ROOM,
AUSTIN, February 9, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Finance, to whom was referred Senate bill No. 194, entitled "An act to provide for the sale of all real estate bid off to the State by collectors of taxes at tax sales, the owners of which have not redeemed the same," have carefully examined the same, and instruct me to report it back with the recommendation that it do pass.

All of which is respectfully submitted.

TRAYLOR, Chairman.

COMMITTEE ROOM,
AUSTIN, February 9, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Finance, to whom was referred substitute House bill No. 3, entitled "An act making appropriations for deficiencies in appropriations heretofore made for payment of expenses in support of the government from March 1, 1884, to February 28, 1885, being for payment of claims registered, in the Comptroller's office in accordance with law, and for outstanding claims not registered and other deficiencies," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass, with the following amendments.

All of which is respectfully submitted.

TRAYLOR, Chairman.

AMENDMENTS TO SUBSTITUTE HOUSE BILL NO. 3.

For rent of room in Krohn building in the city of Austin for the storage of books in charge of Hon. Jos. W. Baines, Secretary of State, for the two years commencing on the first day of March, 1883, and ending to last day of February, 1885, at \$20 per month, \$480.

For payment of S. D. Terry, sheriff of Hamilton county, fees due in the case of the State of Texas vs. John Mayfield, \$27.70.

To pay Mrs. Josephine Graham two second class claims of public debt, Nos. 1493 and 1494, \$30 each, \$60.

BILLS AND RESOLUTIONS.

Senator Houston of Wheeler introduced the following resolution:

Resolved, That the Committee on Printing be, and are hereby, instructed to inquire into the cause of the constant delay and general wretchedness of the printing of bills for this body, and that said committee be further instructed to inquire into and report the propriety of making other arrangements in reference to said printing, and that said committee be requested to report by Wednesday, February 11.

Adopted.

By Senator Calhoun:

"An act to amend articles 165, 170 and 172, chapter 4, title 6 of the Penal Code."

Referred to Judiciary Committee No. 2.

The President pro tem. laid before the Senate Senate joint resolution No. 6, amending section 3, article 5 of the Constitution, as the first special order.

Read second time, with unfavorable committee report.